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December 10, 2013

VIA E-FILING ONLY

The Honorable F. Dennis Saylor, IV
United States District Court - District of Massachusetts
1 Courthouse Way
Suite 2300
Boston, Massachusetts 02210

RE: In Re New England Compounding
Docket No. 1:13-md-02419-FDS; MDL No. 2419

Dear Judge Saylor:

In anticipation of the upcoming conference before Your Honor the defendants, Premier Orthopedic Associates, Premier Surgical Center and Kimberly Yvette Smith-Martin, M.D. (hereinafter "the Premier Defendants") submit the following. It is respectfully requested that the Court accept this letter in lieu of a more formal Brief in this matter. The Premier Defendants wish to join in the motion filed by the St. Thomas entities specifically Dkt. No. 593. The subject of these motions has been substantially briefed and argued in the papers previously submitted.

Recently various defendants including the St. Thomas entities and other Tennessee Defendants have filed a motion to reconsider MDL Order No. 7. (Dkt. No. 592) Others have joined in this motion and the Premier defendants now move this court to grant the motion submitted by St. Thomas.

The Premier defendants would ask that the proposed orders and protocols submitted by St. Thomas be entered and apply to the Premier defendants in this MDL because the proposed scheduling order and protocols are comprehensive, fair and aimed at the complete adjudication of these proceedings. Specifically, the need for reciprocal discovery as to all MDL plaintiffs is also addressed in the Orders proposed by the St. Thomas defendants.

In addition, St. Thomas has proposed the use of various authorizations, including a standard HIPPA Medical Records Release Form. These authorizations allow the defendants the opportunity to obtain the necessary information to defend these claims and access information that is relevant or may lead to the discovery of relevant information.

Finally, the timeframe for the completion of initial discovery, selection of Bellwether cases and agreeing on protocols for same is realistically set forth in the proposed orders. It is respectfully

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requested that the Court grant St. Thomas' motion and enter a new case management order in line with that set forth in the proposed orders attached to Dkt. No. 592 and applying this relief to the Premier Defendants as well.

Thank you.

Respectfully,

LAW OFFICES OF JAY J. BLUMBERG, ESQ.

/s/ Christopher M. Wolk

Christopher M. Wolk, Esq.

CMW/dm

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CERTIFICATE OF SERVICE

I, Christopher M. Wolk, Esq., hereby certify that I caused a copy of the foregoing letter to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Dated: December 10, 2013

/s/ Christopher M. Wolk, Esq.
Christopher M. Wolk, Esq.